

Chapter 10.20

GAMBLING

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10.20.010 Definitions.

As used in this chapter:

A. "Gambling device" means any clock, tape machine, slot machine, or other machine or device for the reception of money or other thing of value on chance or skill, or upon the action of which money or other thing of value is staked, hazarded, bet, won or lost; or any mechanism, furniture, equipment or other device designed primarily for use in a gambling place. A gambling device does not include:

1. A coin-in-the-slot-operated mechanical device played for amusement that rewards the player with the right to replay such mechanical device, which device is so constructed or devised as to make such result of the operation thereof depend in part upon the skill of the player and which returns to the player no coins, tokens or merchandise; or

2. Vending machines by which full and adequate return is made for the money invested and in which there is not an element of chance.

B. "Lottery" means any scheme or procedure whereby one or more prizes are distributed by chance among persons who have paid or promised consideration for a chance to win such prizes, whether such scheme or procedure is called a lottery, raffle, gift, sale, or some other name.

C. "Policy game" means any scheme or procedure whereby a person promises or guarantees by any instrument, bill, certificate,

writing, token or other device that any particular number, character, ticket or certificate shall, in the event of any contingency in the nature of a lottery, entitle the purchaser or holder to receive money, property, evidence of debt, or other thing of value.

10.20.020 Acts constituting gambling— Penalty.

A. A person commits gambling when he does any one or more of the following:

1. Plays a game of chance or skill for money or other thing of value;

2. Makes a wager upon the result of any game, contest, or any political nomination, appointment or election;

3. Uses or keeps any book, instrument or apparatus for the purpose of recording or registering bets or wagers, or holds any funds that have been bet or wagered;

4. Sells pools upon the result of any game or contest of skill or chance, political nomination, appointment or election;

5. Sets up or promotes any lottery, or sells, offers to sell or transfers any ticket or share for any lottery;

6. Sets up or promotes any policy game, or sells, offers to sell or knowingly possesses or transfers any policy ticket or other similar device;

7. Knowingly advertises any lottery or policy game, or drafts, prints or publishes any lottery ticket or share, or any policy ticket or similar device, or any advertisement of any lottery or policy game; or

8. Knowingly transmits information as to wagers, betting odds or changes in betting odds by telephone, telegraph, radio, computer, semaphore or similar means; or knowingly installs or maintains equipment for the transmission or receipt of such information.

B. Any person violating any provision of this chapter shall be guilty of a misdemeanor.

10.20.030 Keeping a gambling place prohibited.

A. A “gambling place” means any real estate, vehicle, boat, or any other property whatsoever used for the purposes of gambling. Any person who knowingly permits any premises or property owned or occupied by him or under his control to be used as a gambling house shall be guilty of a misdemeanor.

B. When any premises are determined by a court having jurisdiction to be a gambling place:

1. Such premises are a public nuisance and may be proceeded against as such;

2. All licenses, permits or certificates issued by the city authorizing the playing of cards or the serving of food or liquor on such premises shall be void; and no license, permit or certificate so canceled shall be reissued for such premises for a period of 60 days thereafter; nor shall any person convicted of keeping a gambling place be reissued such license for one year from his conviction; and

3. Any owner of the premises who knowingly permits thereon a violation of any section of this title shall be held liable, and the premises may be sold to pay any unsatisfied judgment recovered and any unsatisfied fine levied under any section of this title.

10.20.040 Seizure of gambling devices.

Every gambling device shall be subject to seizure, confiscation, destruction or sale, pursuant to the laws of the state of Utah.

10.20.050 Seizure of gambling funds.

Any funds used for purposes of gambling and seized in any gambling place, or found in or on any gambling device, shall vest in the general fund of the city.